

MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION

December 18, 2007

9:30 AM

OPEN SESSION

1. CALL TO ORDER - The meeting of the Board of Technical Registration was called to order at 9:36 AM by Chairman Richard Pawelko.
2. ROLL CALL - Board Members in Attendance: Sheila Bowen, Karen Cesare, Stuart Lane, Richard Pawelko, Chet Pearson, Robert Roos, Susan Schaefer Kliman, and Ronald Starling. Absent: Dawn Garcia. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Lawhorn, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Terrie Sanders.
3. CALL TO THE PUBLIC – No members of the public spoke.
4. ADOPTION OF MINUTES – Ms. Bowen moved to approve the November 27, 2007 minutes with minor corrections. Dr. Schaefer Kliman seconded. Motion Carried.
5. ENFORCEMENT MATTERS
Review, Consideration and Possible Vote on the following:
 - A. Proposed Consent Agreements
 1. M06-097 William Patrick Minette, Nonregistrant – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order:
Assurance of Discontinuance: Respondent shall not use a registrant's seal and signature on any document prepared by the Nonregistrant; Civil Penalty: Respondent shall pay a civil penalty in the amount of \$2,000.00 and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$140.00. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.
 - B. Proposed Peer Reviewer
 1. M07-074 William J. Christenson, P.E. (Structural) #34626 – This matter was tabled.

6. HOME INSPECTOR ENFORCEMENT MATTERS

Review, Consideration and Possible Vote on the following:

A. Proposed Consent Agreements

1. John R. Reding, CHI #38663

1a. M05-023, 1b. M06-240, 1c. M06-325, and 1d. M06-327 – Consent Agreement – Ms. Bowen moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$500.00; Probation: Respondent's certification shall be placed on probation until restitution has been made in the amount of \$240.00 to Jack Goeser and \$240.00 to Eugene Young; Open Book Test: Respondent shall take and complete an open book test of the Board's Statutes and Rules within 30 days, passing with a 100% score; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$800.00. Dr. Schafer Kliman seconded. After discussion, Motion Carried.

2. M05-312 Brian K. Dickinson, CHI #39666 – Ms. Cesare moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$2,000.00; Probation: Respondent's certification shall be placed on probation until restitution has been made in the amount of \$305.00 to Chris and Leslie Bentley; Open Book Test: Respondent shall take and complete an open book test of the Board's Statutes and Rules within 30 days, passing with a 100% score; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$220.00. Mr. Lane seconded. After discussion, Motion Carried.

3. HI08-003 Douglas B. Mason, CHI #38656 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$1,000.00; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$65.00. Dr. Schafer Kliman seconded. After discussion, Motion Carried.

4. HI07-092 Joseph J. Dorner, CHI #38447 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$200.00; Open Book Test: Respondent shall take and complete an open book test of the Board's Statutes and Rules within 30 days, passing with a 100% score; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$41.00. Ms. Cesare seconded. After discussion, Motion Carried.

5. M06-108 Genny L. Setford, CHI #39317 – This matter was tabled.

6. M05-228 Kent L. Dean, CHI #39959 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$250.00; Open Book Test: Respondent shall take and complete an open book test of the Board's Statutes and Rules within 30 days, passing with a 100% score; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$430.00. Ms. Bowen seconded. After discussion, Motion Carried.

7. Review, Consideration and Possible Vote on the following:

EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION

1. Rick Jones – Architect Registration. Dr. Schaefer Kliman moved to accept Mr. Jones application for registration. Mr. Starling seconded. After discussion, Motion Carried.
2. Charles Alexander – P.E. (Electrical) Registration. Mr. Pearson moved to accept Mr. Alexander's application for registration. Mr. Lane seconded. After discussion, Motion Carried.
3. Maravi Moore – Architect Examination. Dr. Schaefer Kliman moved to accept Ms. Moore's application to take the architectural examination. Mr. Starling seconded. After discussion, Motion Carried.
4. Allison Colwell – Landscape Architect Registration. Ms. Cesare moved to accept Ms. Colwell's application for registration. Dr. Kliman Schafer seconded. After discussion, Motion Carried.

8. Review, Consideration and Possible Vote on the following:

EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST AVAILABLE AT BOARD OFFICE)

1. Granting of professional or in training registration
2. Approval to sit for the professional or in training examination

Mr. Lane moved to accept the committee and staff recommendations listed in items 8.1 through 8.2. Dr. Kliman Schafer seconded. After discussion, Motion Carried. Mr. Roos was not in the room for this matter.

9. Review, Consideration and Possible Vote on the following:

1. National Council of Architectural Registration Boards ("NCARB") Requirement of the Intern Development Program ("IDP") completion prior to allowing the candidate access to the Architect Registration Exam ("ARE"). This matter was tabled.

2. Board policy regarding the length of time disciplinary matters remain on the Board's web site. Ms. Julie Ogawa addressed the Board. Mr. Pearson moved to continue reporting disciplinary matters on the Board's web site as currently practiced as long as feasible and requested a disclaimer be added to indicate disciplinary information prior to 2000 can be obtained by contacting the Board. Mr. Starling seconded. After discussion, Motion Carried.

10. Review, Consideration and Possible Vote on the following:

1. Resolution Recognizing the Arizona Ranger's Contribution to the Board of Technical Registration In 2007. Mr. Lane moved to accept the attached Resolution. Mr. Starling seconded. After discussion, Motion Carried.

11. Review, Consideration and Possible Vote on the following:

1. Home Inspector Rules and Standards Committee Appointment. Mr. Lane moved to appoint Randy West, Certified Home Inspector, to the Home Inspector Rules and Standards Committee, replacing Brion Grant, Certified Home Inspector. Ms. Cesare seconded. After discussion, Motion Carried.

12. DIRECTOR'S REPORT

Proposed Rule Changes R4-30-304

Expiration Date on Seals

The Rule package is on the Governor's Regulatory Review Council ("GRRC") agenda for the January 8, 2008 meeting. After they are approved they are published again and would be effective in April 2008.

13. BOARD CHAIR'S REPORT – None given at this time.

14. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee – Mr. Starling advised the Committee met on November 27, 2007 to discuss the definition of good moral character and repute. There are no formal changes to bring to the Board for a vote at this time. The Committee is working to fine tune some of the language in the rules to assist the Board in making good public policy decisions when licensing registrants. The next meeting is scheduled for January 22, 2008, after the regularly scheduled Board meeting.

2. Budget Committee – Mr. Dalrymple advised the Board is in good fiscal shape. The Board finished Fiscal Year 2007 with a surplus which was expected because the Board made in its operations, specifically geared towards freeing up money from the budget to then use as pay raises for the staff, to reward the employees. Mr. Dalrymple is working with Hon. John Nelson to pave the way to prevent any repercussions to the Board for using the surplus funds for staff pay raises.

3. Home Inspector Rules and Standards Committee – Mr. Dalrymple advised the Board the Committee has recommended to replace Mr. Grant with Mr. West on the Committee; they are continuing to work on inspection requirements and standards for pool and spa inspections. The Committee will be looking at parallel

inspections and ways to hold the certifying home inspector administering the parallel inspection program to be more accountable with the quality of the resulting inspection reports. The certifying inspector should be checking the reports and, as an instructor, making sure the applicants' submitted reports are perfect. The Committee will be getting the word out on this matter through the associations, news letters, and word of mouth.

4. Environmental Remediation Rules and Standards Committee – No report available.

15. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying ("NCEES") – Mr. Starling advised nothing has happened recently as there have been no meetings since he last reported to the Board. However, he will be traveling to San Antonio, Texas January 14 – 16, 2008 for the Structural Engineering Exam taskforce.
2. National Council of Architectural Registration Boards ("NCARB") – No report available.
3. Council of Landscape Architectural Registration Boards ("CLARB") – No report available.
4. National Association of State Boards of Geology ("ASBOG") – No report available.

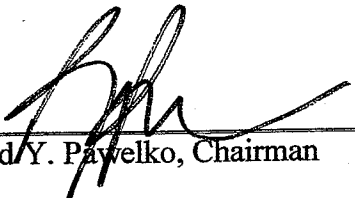
16. FUTURE BOARD MEETINGS – Tuesday, January 22, 2008 at 9:30 AM

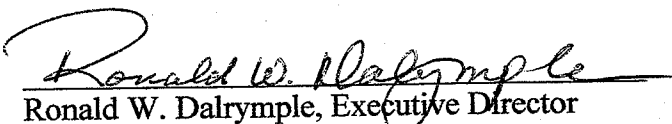
17. FUTURE AGENDA ITEMS

1. Home Inspection Reports – concern regarding the allegations as submitted are not substantiated but there is a laundry list of violations after review of the report.
2. Presentation of the Resolution to the Arizona Rangers

18. ADJOURNMENT – Meeting adjourned at 11:21 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION


Richard Y. Pawelko, Chairman


Ronald W. Dalrymple, Executive Director